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REMARKS

OF

MR. CUSHING, OF MASSACHUSETTS,

ON

THE TARIFF BILL.

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REMARKS OF MR. CUSHING.

HOUSE OF REPRESENTATIVES, JUNE 22, 1842.

THE GENERAL QUESTION.

The House being in Committee of the Whole on the bill to provide revenue from imports and to change and modify existing laws imposing duties on imports and for other purposes—

MR. CUSHING said the question, as presented in the present debate, was a very general one, not being upon details at all; and yet details, after all, were the most material to be considered, and constituted, in fact, the real and only question to be decided. It was a vice of the House, in its mode of discussing all subjects, which came before it, to attempt too much, to strike too high, and to cover too much ground. The few suggestions he had to offer were, in their nature, wholly practical,—so far, at least, as the state of the question would admit.

The basis of this whole discussion was the admitted necessity of raising some twenty-seven millions of revenue to carry on the Government; and the precise question was, how this sum was to be raised? That the money was needed, and must be obtained, no one had as yet denied; the only thing disputed was the mode of raising it. This was a question of revenue,—a question of Government. Two bills had been presented to the House, the one by the Committee of Ways and Means, the other by the Committee on Manufactures, and the House was considering them as in comparison with each other. These bills contained the only mode yet suggested for supplying the revenue needed. No antagonist proposition had been started in any quarter; for the bill of the gentleman from Georgia, (Mr. Habersham,) offered as an amendment, was a bill to lay duties on imports; and the gentleman from South Carolina, (Mr. Pickens,) had expressly admitted that he had no opposing scheme of finance to propose. What amount of duty should be imposed upon woollens, what upon sugar, what upon cotton, were questions of detail purely; so that on the general state of the subject there was, in reality, no question at all.

Mr. C. knew that all the great questions had been mooted, which had heretofore agitated our councils—the questions of protection and a tariff, and of sectional interests, &c.; but were those questions really before the Committee? Certainly not. The question was, how a revenue should be raised? And on this question it was not allowed to gentlemen to stand in a negative position: it was incumbent on them to act; they were bound to provide the means to carry on the Government. This was no question of party; no question between schools of finance, or schools of political economy; neither was it a question between sectional interests; it was purely an American question of Government.

Gentlemen, who contended that laying duties on imports was not the proper mode of raising the sums

needed, were bound to tell the House of some other mode. Gentlemen talked about anti-tariff principles: what did they mean by anti-tariff? There was only one way of translating that phrase into English. When he looked into the Constitution he found Congress clothed with the power and charged with the duty of carrying on the Government, for which purpose they were authorized to levy duties on imports (which was the ordinary sense of a tariff) or to lay direct taxes and excises. Now, if gentlemen denied the propriety of laying duties on imports, they must be in favor of an excise or of direct taxes. *Exclusio unius conclusio alterius*: if they rejected the one they must resort to the other.

As to direct taxation, Mr. C. would not enter on that subject till some gentleman proposed the adoption of that mode of raising revenue.

The true and only pertinent question then was, whether the duties proposed in either of the two bills before the Committee would furnish the requisite amount of money. It was a practical question—a question of details, which could only be settled by analysis of the bill, clause by clause. It could not be intelligently discussed as a general thesis, either in affirmation or denial. If examination should show that the duty proposed to be laid on certain articles was so high as to be prohibitory, and so to produce no revenue, that was a good reason why they should be lowered. This was a separate question arising on each item. To attempt a general discussion of a bill of this kind, was fighting in the dark: no logical or exact disquisition concerning it was possible in the nature of things.

The gentleman from South Carolina, (Mr. Pickens,) in his speech of this morning, had said that the capacity of our commerce to afford revenue had reached its maximum, so that no more could be obtained from that source. But this, too, was a question of details: and it looked beyond the action of this Government into the general subject of taxation. It was probably true that in every community there was a capacity of revenue which might be filled, and beyond which nothing more could be raised by the imposing of duties. Now, suppose it to be proved that we had reached that point, what else was proved? That we were bound to resort to other means, if more money was needed. There was no escape from this.

What, then, would be the aspect of the question? When gentlemen told him that commerce could be no further taxed, and asked him not to lay duties on imports, to what did they bring him? To what did they bring themselves?

Was it the General Government alone which, in this country, imposed taxes on the people? All who understood the theory of our Government must know that its theory, the theory of liberty, was the localization of power, and that the opposite theory was the centralization of power; and non-

norant that, with us, this principle of localization of power had fully developed itself. The larger portion of the whole amount of taxes paid by the American People was not paid to the General Government. More was paid to the State Governments than to the General Government. On a rough estimate it might be near the truth to say, that for every \$2 paid in taxes to the General Government, there was paid by the people to their respective State Governments in the form of State taxes, county taxes, township taxes, and other municipal requisitions, not less than \$5. Less than half of what was raised came into the Federal coffers.

Now, Mr. C. would ask of every gentleman here, not as a member of Congress, but as the citizen of some one of the States of this Union, how the ordinary current expenses of the States were to be met? He did not ask how the capital of their existing State debt was to be discharged, or the interest on it paid, but how they were to meet their ordinary annual expenditures? It must be by taxing something—by taxing persons or commodities. But how? Were they to tax commerce? No. That was inhibited by the Constitution, which conferred this power exclusively upon Congress. It must then be by direct taxes or by an excise. They had nothing else. The taxing of commerce belonged to Congress.

But gentlemen said that commerce was already taxed to its maximum. Here was the fallacy of the whole argument. Gentlemen who had advanced this proposition looked only at the system of other countries. It might possibly be that in France or England commercial duties for revenue had attained their maximum point. But in those countries government power and expenditures were comparatively centralized, and therefore the amount of money actually raised by the central government had to be much larger than with us. Whether the taxation of our commerce had reached such a point was, as he had before said, a question of details.

In this brief view, Mr. C. had touched the subject only as a Government question. And he would put it to gentlemen whether all the questions which had been mooted in this debate—questions of a protective tariff, of the mode and degree of protection on various interests of commerce, agriculture, manufactures, &c.—were material to be settled? Would not the question on passing these bills be just the same if there were no such thing as protection? The question of revenue exhausted the whole subject. Whoever conceded the necessity of raising twenty-seven millions of dollars, conceded the whole general question to be settled. Mr. C. did not know how gentlemen were going to escape from this; he could not imagine what answer could be made. None seemed to assume that the Government was to stop; that, in addition to the bankruptcy of the States, we were to have the bankruptcy of the General Government. And if not, then a bill of the nature of one of these bills, established on views of expediency as well as of the Constitution, and concerning the necessity of which there was no controversy, must be adopted.

But, while he stated the true question, and the only true question, before the Committee, to be this, he must not wholly omit to notice two or three of the secondary, and incidental questions which, in the general discussion, connected themselves with it.

And the first he should notice was one presented by the gentleman from South Carolina, (Mr. Pickens.) The country, he said, was divided between the two great schools of political economy, the protective and

the anti-protective. Let us see if the question of protection might not be solved by a course of reason in the inverse order from that pursued by that gentleman.

When gentlemen argued in favor of what was ordinarily denominated the doctrine of free trade, they always fell into a course of general remark on the expediency of an unshackled intercourse between nations. They were compelled to rely on generalities. The gentleman from South Carolina had put the whole question on "the eternal, universal, equal rights of the human race!" Well; and what were these eternal, universal, equal rights of the human race? Such were the gentleman's words, and "words were things." There was a school in the world which held to these universal, eternal, equal rights of the human race. Was it the political school of the gentleman of South Carolina?

For his own part, Mr. C. never yet saw two human beings who were equal, in all respects. Gentlemen might go into an investigation of the whole constitution and condition of man, and they never would find it. Yet the free trade, for which gentlemen contended, was part and parcel of that system of universal equality. Mr. C. should not apply this doctrine to the internal organization of the States, or of any one of the States, but only as a question of Government. He pronounced the doctrine a fallacy generally, and its application to Government was still more a fallacy.

For what was Government? Was it not the organization of associated men under the forms of law, with a view to give to them certain exclusive advantages against the rest of the world? Was not that Government? Gentlemen said that all the world ought to share with us the advantages of a perfectly free trade; if so, then on the same principle they ought to participate with us in all other advantages and benefits we enjoy. The doctrine would go this whole length. Then all national barriers ought at once to be thrown down and abolished. Then there should be no such thing as patriotism; it must cease or be a crime; that glorious virtue of patriot love, which had become immortal in poetry and in history, which had inspired the greatest and the noblest men in all times—a virtue which belonged to man's social existence, and was its safeguard and its ornament—*et presidium et dulce decus*—must be given up, and we must substitute in its place a cosmopolite benevolence for all mankind.

Mr. C. was no cosmopolite. He went against all cosmopolite commerce, and cosmopolite all else, which was adverse to AMERICANISM. It was the interests of these United States which he was sent to that Hall to promote. He should sacrifice his duty, desert his trust, and violate the spirit of the Constitution, could he consent to throw all the innumerable advantages possessed by this land into common with all the other nations of the world; more especially when, while he surrendered all, he got nothing in return. He repudiated all such philosophy and all such politics. He was against postponing the advantages of this Union to the advantages of the whole universe. He was not bound to do any such thing. When he ceased to desire and to endeavor by all lawful and honorable means to promote the advantage of his own country in preference to that of any other, he should cease to be an American, and should become a foreigner. That was his answer to the gentleman's doctrine of the eternal, universal, equal rights of the whole human race. That might be a very good theory, if all the people of the world con-

stituted one nation and were all under one government. But such was not the case. They were separated, separated by the act of Providence. And we were separated from other nations by the solemn act of our fathers, and by our own approval and ratification of it; and it was the business of an American legislator to advance the interests of this his native country as against those of the whole world, whenever those interests were incompatible.

[Mr. Clifford here interposed, and inquired of Mr. C. what amount of taxation he thought was a benefit to the Union?]

Mr. Cushing said that the question of the gentleman from Maine assumed that Mr. C. was arguing that taxation was a benefit. He was not arguing to show any such thing, and his argument warranted no such inference. The gentleman could not have attended to its commencement. Mr. C. had commenced by assuming that twenty-seven millions of dollars must be raised to carry on the Government.—We had this money to pay. He had not said this was a benefit, or that it was not. But, even if he had said that it was a benefit, he would not now retract the position. It was a benefit. All money paid for value received was a benefit. We paid this money to have a Government; and if the gentleman could show it was an evil to pay it, he would at the same time show that the Government of the United States was an evil.

[A voice, "And so it is—a necessary evil."]

Mr. Cushing might say that our Government was a necessary evil, but it must only be in the sense in which all government is an evil. It was not an evil, comparatively, but the reverse, since it freed us from a greater evil. In that sense it was a benefit. Mr. C. denied also that it was in any sense an evil; it was a blessing, in whosoever hands it might be. It had now existed for sixty years; and he asked gentlemen to remember what had been the history of the rest of the world during that period of time. He would have gentlemen true to their own position as Americans. Our Government had conferred blessings innumerable and beyond all price. During all the time of its endurance had our people ever been burying their swords in one another's bosoms? Had we witnessed bloody insurrections and civil wars? Foreigners were in the habit of reproaching us with our occasional legislative disorders and violations of the peace by mobs; but all the cases they could muster in this way had not a feather's weight in comparison with what was daily occurring in other Governments.

He would not ask gentlemen to go so far as the Government of Spain, which, during most of that period had been rent with civil wars of the most ferocious and sanguinary character; nor to look merely at those Governments which were ultra monarchical in their principles and form of proceeding; but he would point to England herself, and ask if she had been free from the tumults of faction and the evils of civil strife during all that period? Among us not a political death had yet occurred, nor a political banishment. With all our party heat and momentary commotions, we were by far the happiest nation on the globe.

And as to the reproaches heaped upon us on account of the suspended debt of some of the States, (a fact which Mr. C. regretted as deeply as any man could,) he would ask Europeans, before they indulged in too severe a strain on this point, to remember the millions of passive debt of Spain; to re-

collect what amount had been repudiated by Holland; and not to forget that the whole French debt in the course of the Revolution had been sponged. While loading our new States with reproaches, let them look at what was passing every day before their own eyes in some of the oldest States of the old world.

But he had been led from the argument. He had been observing that the only mode in which man could enjoy the benefits of social existence, and avoid perpetual anarchy and wars, was to submit to separate national Governments. Now, the unavoidable condition of taxation to support this was complaint from some of those who had taxes to pay. But with a state of things having been established by the order of Providence, it remained that every patriot should strive for the good of his own country, to the exclusion and rejection of all new-fangled theories of free trade.

There was but one other element in this question of protection. We were all agreed on raising revenue by duties on imports. Taxation, in some form, we must have. Now, he would set gentlemen to figuring, and ask them to tell him how taxes were to be laid, so as not incidentally to confer protection on some persons or some interests in society? Was such a thing possible? Mr. C. confessed that he knew no mode in which this could be done. He never had heard of any; nor could he conceive any system that would act with perfect equality on all. Those, therefore, who argued against all protection—that is, against giving by taxation protective advantages to various interests—argued for an impossibility. It was impracticable to create a complete separation between a people and their Government; they must and would act upon each other.

Mr. C. was not arguing this question as a question between adversary specific interests. The general question was only this: how we should so raise revenue as to do the most good with the least injury? And to this question the answer could be obtained only by a comparative analysis of the details of different projects of taxation in their operation on the various and complex interests embraced in this Union.

Mr. C. should like to enter on the question, what method of laying imposts would have the best effect on the whole interests of the country, collectively considered; but his hour was gone, and he should not now attempt it. When the proper time arrived, he should have something to say as to the way of raising our twenty-seven millions with the most benefit to all, and the least concomitant evil to any, of the various classes and interests in the United States.

HOUSE OF REPRESENTATIVES, JULY 12th, 1842.

CARPETINGS.

MR. CUSHING moved to strike out the proposed duty of 5 per cent. on wools costing 8 cents and less per pound, so as to make that class of wools free. He said that, under the act of 1832, and under the Compromise act, these wools had been allowed to come in free of duty; during which period the manufacture of carpets, and of worsted yarns and fillings, proper to be used in that manufacture had gradually become a highly important branch of industry, giving employment to many persons and to much capital. He believed that not less than two millions of yards of carpeting were annually manufactured in the United States, and that if there were no injurious legislation to prevent

it, the quantity would constantly and regularly increase. The wool used in the manufacture was of foreign production, and of a kind not raised at present at all, and not susceptible of being raised with profit in this country. At the present rate of importations, the amount of revenue to be obtained by the proposed duty would be small, and it would probably prove to be much less than anticipated, because the importation would become less under the duty, in consequence of the diminution the duty would occasion in carpet manufacture, and the consequent diminution of the demand for the wool. It was, in fact, a proposition to impose a tax to the amount of this duty on the manufacture of carpeting. He hoped, therefore, this article would be left on the footing on which it now stood.

The motion was rejected.

COARSE WOOL.

Mr. CUSHING moved to strike out five per cent. from the duty on coarse wools, and instead thereof to insert two per cent. He said that the Committee had rejected his motion to make these wools free as they stood under the Compromise act. They had also rejected the motion of Mr. C. Brown to leave them at a duty of one per cent. He, Mr. C., would make one more effort against the proposed change. And it would be seen that, as the question now stood, the change would be a very serious one. The Committee of Ways and Means have proposed to reduce the maximum from eight cents to seven cents, and, upon the motion of the gentleman from Vermont, (Mr. Slade,) the Committee of the Whole have adopted six cents as the maximum. Observe the effect of this. Wools which cost six cents and under, are to pay a duty of five per cent. ad valorem; and wools which cost six and a quarter cents, seven, eight cents, which have heretofore been free, are to pay a duty of thirty per cent. ad valorem. This duty of thirty per cent. on wools heretofore free must be ruinous to the carpet manufacturers. Sir Robert Peel states the true principle on this subject. He says, "Our object has been, speaking generally, to reduce the duties on raw materials, which constitute the elements of manufactures, to an almost nominal amount." And this is the correct view of the subject. Instead of this, the Committee propose, not only a duty, but a very high duty, on this raw material, which is now imported solely to meet the demands of manufacturing industry.

The motion was rejected.

COARSE WOOL.

Mr. FILLMORE having moved to strike out thirty per cent. ad valorem from the duty on fine wools, and insert instead thereof nine cents per pound; and Mr. Arnold having moved to amend the amendment by striking out nine cents and inserting twelve and a half cents per pound,

Mr. CUSHING opposed the motion. He said the proposition was a monstrous one. On wools costing six and a quarter cents, Mr. Arnold's motion would be a duty of two hundred per cent. ad valorem; and Mr. Fillmore's, a duty of nearly one hundred and fifty per cent.; and the least of the two sums would be a duty of more than one hundred per cent. on the seven cents and eight cents wools. In this way the Committee would get no revenue on these wools, as none would ever be imported. They might as well at once prohibit the importation of all such wools, and

also prohibit the manufacture of carpets in this country.

COARSE WOOL.

Mr. EVERETT, of Vermont, having proposed a scale of minimums for a duty on wool, with the specific duty of ten cents per pound on all wools costing less than thirty cents,

Mr. CUSHING opposed the motion. He did not object to the minimum principle, as such, nor to specific duties. On the contrary, he considered specific duties incomparably better than ad valorem duties, in all cases when they could be applied; but he was sorry to see the wool-growing interest trying to force upon the Committee such heavy duties, at the expense of the wool manufacturer. This project was injurious to the Government, for it would prohibit importation; it would do no good to the wool grower, for the manufacturer could not afford to use fine wools for the purposes for which he had heretofore used the coarse ones. The Committee would now see how fallacious was the idea which had grown up at the beginning of the session, under the motion to refer the Tariff question to the Committee on Manufactures. They would see how fallacious was the idea that the manufacturers only, or the manufacturers chiefly, called for protective duties. They would also see that, when the details of a Tariff came to be arranged, it was not between Massachusetts and South Carolina that a conflict of interests existed, but much more between Massachusetts and Vermont.—Whatever protection Massachusetts got for her manufactures, she paid full consideration for, in the protective duty charged on the raw material, which she had to buy chiefly from the other States of the Union.

WOOLLEN CLOTHS.

Mr. CUSHING moved to amend the bill, by striking out 40 per cent. ad valorem, the duty proposed on broadcloths, cassimeres, &c., and inserting 75 cents per square yard. Mr. C. said that this ad valorem duty might perhaps suffice if it could be collected, but this was impossible. If there was anything established by the report of the commissioners for investigating the New York Custom-house, it was the perpetual recurrence of fraudulent importations under the system of ad valorem duties on fine woollens. It is a bad system for the Government which is thus defrauded of its revenue. It is bad for the manufacturer, who does not get the protection he counts upon. And it is bad for the honest importer, who is driven out of the market by the lower price at which the fraudulent importer is able to sell his goods.

Mr. C. said he could not conceive why this bill should make so much distinction between the interests of Massachusetts and those of other States. The bill proposes a heavy square yard duty of 5 cents per yard on cotton bagging, for the benefit of Kentucky. It proposes high protection in the form of specific duties on the iron and coal of Pennsylvania. A square yard duty and a specific duty was proper enough in those cases, and a specific square yard duty is in like manner just and proper for the cloths and cassimeres of Massachusetts.

HOUSE OF REPRESENTATIVES, July 13, 1842.

CARPETS.

Mr. CUSHING moved to strike out 65 cents, and insert 75 cents for the duty on certain carpetings. He said that the duties on carpeting were, in the aver-

age, less than under the act of 1832, and yet of the wools employed in carpet manufacture, and which were free under that act, there was imposed, by this bill, on part a duty of 30 per cent. *ad valorem*, and on the rest a duty of 5 per cent. *ad valorem*. This would be doubly unjust to the carpet manufacturers; for them it would be lighting the candle at both ends. They were made to pay a duty, and in part a heavy duty, on the raw material, while, at the same time, the duty on the foreign manufactured article was lessened. He wished to correct this injustice in some degree, by increasing the duty on the foreign manufacture.

BLANKETS.

Mr. CUSHING moved to increase the duty on woolen blankets of the first class.

He said the manufacture of blankets, although yet in its infancy, had grown into an important business, and he thought it ought to receive more protection. In a national point of view, they belonged to that class of articles, which, in anticipation of the necessities of war, every nation should produce within itself. It was bad enough, during the last war, to be dependent on our enemy for the supply of this necessary article, and such a difficulty ought not again to recur. And not only was the proposed duty on coarse blankets too low of itself, but the injury to the blanket manufacturer was the greater under this bill, in consequence of the heavy additional protection which this bill conferred on wools, especially coarse wools, which had been heretofore free. This course of policy was equally injurious to the wool manufacturer and to the wool grower.*

COTTON MANUFACTURES.

Mr. SMITH, of Virginia, having moved to strike out the minimum valuation in the proposed duty on manufactures of cotton, Mr. C. objected. He said that much misconception, and a very groundless prejudice with regard to the minimum principle, existed in some quarters. It was but another form of specific duties. If they were wrong, the alternative was uniform *ad valorem* duties in all cases. To this, the objections were obvious and insurmountable. It would violate every principle of legislation, every doctrine of finance. No Government ever did, and he did not believe any Government ever would do, so absurd a thing as to impose indiscriminate and equal *ad valorem* duties. Suppose Congress were to apply an equal *ad valorem* duty of 20 per cent. to all articles. Would this operate equally? No. On the contrary, on some articles it would be revenue without protection; on others revenue with protection; and on others again, no revenue, but absolute prohibition. Equality in these things is impossible. It is necessary to apportion the duty according to the nature, uses, and relations of the particular thing. Accordingly, in this bill, there are many articles on which the duty is less than 20 per cent., because they could not bear so much. On others, the duty is more, because they can bear more, and because they affected interests which required protection. For in the imposition of duties many things were to be considered; as, first, revenue for the Government; second, incidentally, regard for other interests to be affected well or ill by the duty; and third-

ly, the consideration of vested interests, which, having grown up under the legislation of the country are to be respected. In a word, the idea of raising the revenue of the United States by duties on imports, framed on a fixed and horizontal *ad valorem* scale was totally incompatible with the public interests, impracticable and unwise as a question of expediency, and was in no sort required by the Constitution.

AD VALOREM DUTIES.

Mr. RHETT, of South Carolina, having in another form renewed the motion to strike out the minimum from the duty on cotton,

Mr. CUSHING replied: He said it was a great error to suppose that specific duties were desired by manufacturers only. The system of *ad valorem* duties was, to be sure, inconvenient to them, because by false invoices and other fraudulent devices, the *ad valorem* duty was liable to be evaded, and the domestic manufacturer did not obtain the anticipated protection. The system was prejudicial to the Government, because it made a corps of appraisers necessary, increased the cost of collection, and did not give to the Treasury the legal rates of imposts. But the system was equally inconvenient to the importing and commercial interests, and it was to this point that he (Mr. C.) wished particularly to call the attention of the gentleman from South Carolina. If you have specific duties, the merchant knows precisely beforehand what duty he has got to pay, and is able to make his calculations as to the probable result of his enterprises, free from uncertainty in this respect. But with *ad valorem* duties he can do no such thing. The amount of duty that he has to pay depends perhaps upon the accident of an appraisement at the custom-house. Besides which, if he be an honest man, he finds himself undersold by some foreign importer, who, disregarding alike the laws of his country and of honor, has made his importations with false invoices, so as to evade a part of the duty, to the injury of the honest importer, as well as that of the manufacturer and the Government.

SILK MANUFACTURES.

Mr. FILLMORE having moved to amend the bill, by striking out the various proposed duties on silk manufactures, and substituting therefor a specific duty of two dollars and fifty cents per pound,

Mr. CUSHING moved to amend the amendment by substituting two dollars for two dollars and fifty cents per pound. Mr. C. said that he was very glad to see that the Committee of Ways and Means had thought better on this question of the duty on silk manufactures, and proposed not only to reduce it in rate, but to make it specific. He should be glad to see it lower still, and therefore moved the rate of two dollars, equivalent to about twenty per cent. *ad valorem*.

Mr. C. thought the United States ought never to forget their debt of gratitude to France for the efficient and decisive aid she afforded in the war of the Revolution. France was then, and is now, a natural and necessary ally of the United States. We ought, therefore, in every proper way, to cultivate friendly relations with her, and in the arrangement of our tariff, if the necessities of the Treasury require that additional duties shall be imposed on French articles, we ought to take care that those duties shall be so arranged as not to involve or imply any act of unkindness towards France.

It was further to be remembered, that our ships con-

*There was, on motion of Mr. EVERETT, of Vermont, after the bill was reported to the House, a still additional duty imposed on wool, so that the duty is 30 per cent. *ad valorem*, and 3 cents per pound specific besides.

stitute 85 per cent of the tonnage employed in the navigation between the United States and France, and that, with the exception of tobacco, the importation of which into France is a Government monopoly, the tariff of France is not generally higher than is the present tariff of the United States, and in some cases makes distinctions in favor of our productions. Thus our cotton pays only about twelve per cent; wheat, at the highest, twenty-two and a half per cent; our rice two francs, while that of other countries pays from four to nine francs; our potashes pay only fifteen francs, while those of Russia pay eighteen francs.

Mr. C. said that the bill, as originally reported, by imposing a higher duty on figured than on plain silks, did, in fact, make a distinction against the silks of France. The present proposition was free from that objection, and apart from the political objection against high duties on French articles, there was a financial objection which was entirely conclusive. If an excessive duty was put on French silks, it would not be collected, the business would go into the hands of smugglers and fraudulent importers. Naples silks could be smuggled into the United States, by the way of England and Canada, at a premium of ten per cent, and it is said that a company has been organized in Paris for smuggling silks into the United States at a still less premium. However this may be, there is no doubt but frauds will occur if duties be excessive. And the existence of such smuggling associations undertaking to run silks for a stipulated premium, is mentioned by Sir Robert Peel. Mr. C. hoped, therefore, that either two dollars per pound, or if not two, at most two and a half dollars would be substituted for the heavier ad valorem duty proposed and reported in the original bill.

FLAX—TWINE—HEMP.

Mr. CUSHING moved to amend the bill by striking out fifty dollars per ton the proposed duty on flax, so as to make the article free. He said it was free under the act of 1832. It was chiefly used in the manufacture of thread and twine. It would be idle to impose a heavy duty on flax, for the duty would yield nothing. It would stop the manufacture, to carry on which, flax has been imported, and there was no domestic reason to justify this high prohibitory duty, as it was a raw material of manufacture, flax of the same description not being produced in the United States.

The motion to strike out failed, but the duty was lowered to twenty dollars.

Mr. CUSHING moved to reduce the proposed duty on Manila hemp, from thirty-five to twenty-five dollars the ton. The duty was reduced to twenty-five dollars per ton.

HOUSE OF REPRESENTATIVES, JULY 14, 1842.

IRON—SHIPS.

Mr. EDWARDS, of Pennsylvania, having moved to raise the duty on hammered iron to twenty-five dollars.

Mr. CUSHING objected. He said that the original bill proposed a duty of eighteen dollars per ton on hammered iron in bars, and thirty dollars on rolled iron in bars. He thought both of these duties were high; but he was especially opposed to increasing the duty on hammered iron. He was in favor of maintaining the distinction between hammered and rolled iron, which this bill proposed in conformity with the principle of previous laws. It is the rolled iron from England, fabricated with mineral coal,

which chiefly comes in competition with our own; which is much less the case in regard to hammered iron fabricated with charcoal, and coming from the Baltic, and chiefly from Sweden. Besides which, the hammered iron is needed for a great many purposes of mechanic industry in the United States. It is preferred by blacksmiths, because it is more easily wrought under the hammer, and is preferable for fine works in steel. It is also used for making springs, horse shoes, and in the construction of vessels.

There is another very important reason why this motion should not prevail. Much had been said the present session about retaliatory duties. In this case he did not call on the House to impose retaliatory duties, but to return kindness for kindness. Our trade was of great importance to Sweden, in consideration of which she admitted the productions of the United States into her ports at a duty 15 per cent. less than similar goods would pay, coming from other countries. He wished the House to meet this liberal and friendly overture in the same spirit in which it was made by the Swedish Government.

Mr. C. said he regretted to see so little consideration shown to a branch of manufactures which is second in importance to none in the United States.—He meant ship-building, which, by this bill, is taxed, right and left, without mercy. A ship is taxed in her wood work, and taxed in her iron—taxed in her copper and taxed in her lead—taxed in her sails and taxed in her rigging—taxed in her anchors and taxed in her cables. If there be not some forbearance in this all the ship builders will be driven out of the United States and compelled to take refuge in the British Provinces. A ship owner has now to labor with fearful odds, under all the duties imposed on ship building in connection with our reciprocity treaties. He (Mr. C.) protested against there being any unnecessary additions made to the present heavy burdens of the ship owner and ship builder.

SHEATHING COPPER.

Mr. FILLMORE having moved to make the duty on sheathing copper two cents per pound, and Mr. WM. C. JOHNSON having moved to amend the motion so as to make it 3½ cents per pound, Mr. CUSHING objected.

He said this was a proposition to impose a heavy tax on the construction and repair of ships, for the benefit of four or five establishments in the United States, engaged in rolling sheet copper, and it was, in his opinion, altogether impolitic and unjust. He had already complained of the excessive burdens which this bill imposed on ship building, and here was another striking example of the same fact. He protested against it on many accounts.

First, in this case, as in regard to the heavy duty imposed on hemp, and chain cables and anchors—in proportion as you raise the duty, you drive our vessels to supply themselves with these articles abroad, as much as possible. That great portion of our mercantile marine engaged in the carrying trade usually visits England, at least once a year. Some of those vessels do now, and all of them could, as well as not, have their sheathing and re sheathing done in England.

In so far as this is done, you, by driving the vessels out of the country to be sheathed, prevent sheathing from being imported into the United States, and deprive our own mechanics and laborers of the advantages of fitting up and putting in order our ships.

Now, a large amount of capital is invested in marine rail ways in this country, and a great many mechanics obtain a living in the business of sheathing or re-sheathing vessels, and in the general fitting up, in painting, repairs of upper works, spars, &c., which frequently accompanies re-sheathing, whenever that is done. He was informed, and believed that the various expenditures for labor, &c., connected with the first sheathing of a ship, are generally one half of the cost of the new metal, and when a vessel is re-sheathed the expenditures are generally as much as the net cost of the sheathing copper. And as to all our vessels engaged in European trade, those who would, by this duty, be driven to sheathe in England, it was a question whether you shall sacrifice the convenience of the ship owner and the ship builder, the profits of the importer, and the employment of all the mechanics connected with the fitting and repair of ships, for the sake of giving a bounty to some four or five copper rolling establishments.

But in the second place, in another point of view, this would work still more prejudicially, for there was an important part of our commercial marine which did not frequently or regularly visit England, viz: our whaling vessels, a most useful and important branch of enterprise, and our traders to the East and West Indies and South America, to say nothing of steamboats, coasters, &c., which never leave the United States. Now, upon this part of our shipping interest, the duty would fall with redoubled force. They could not escape it by getting coppered in England.

Finally, the amount of revenue to be thus obtained would be small, for two-thirds of the ships which are now copper sheathed in Boston and N. York, can, without very great inconvenience, and will, if driven to it by this enormous duty, have their coppering done in England.

HOUSE OF REPRESENTATIVES, JULY 15, 1842.

MANUFACTURES OF LEATHER.

Mr. GWIN having moved a duty of 15 per cent on raw hides, Mr. CUSHING objected.

He said that the original proposition reported by the Committee of Ways and Means, to impose a duty of one cent per pound on raw hides, whether dry or salted, was clearly wrong, not only by reason of the amount of the duty, but because in putting the same duty per pound upon salted hides as upon dry ones, you will, in fact, drive the salted hides out of the market.

Heretofore, under the act of 1832, raw hides, as a material of manufacture, were free; by the present bill, there is, in many cases, a duty of 5 per cent. on the various classes of raw material. It would be unwise and unjust, in the case of hides, to raise this to 15 per cent.

The manufacture of boots and shoes, and other fabrics of leather, is an immense business, scarcely second to any other branch of manufacture in this country, and there was this of peculiar in it, that it was carried on comparatively little by machinery. It was much more than the manufactures of cotton and wool, a business of handicraft-labor and skill, being a mechanic, rather than a machinery manufacture. On this account it deserved favor, by reason of the number of hands it employed, and on this account it required protection, because foreign handicraft-labor came into direct competition with it, and it was unjust, therefore, to neutralize the beneficial effects of the duty which this bill imposed on the manufactured

articles of leather, by imposing a heavy duty on the raw material.

Nor was this desirable for the benefit of the cattle raising interest in this country. With us, no one thinks of raising cattle for the sake of the hide alone. The hide and tallow being, to say the most, and to use a common phrase, the fifth quarter of the ox.—Whereas, in those countries where we chiefly obtain raw hides, the hide is the principal, if not the only object. The cattle are kept and killed for the hide, or hide and tallow, while the flesh is thrown away, for the most part, and left to dry up or decay on the earth. No such fact exists or can exist in this country. We have no vast plains, covered with herds of cattle, maintained for the hide alone, such as roam over the pampas of Spanish America.

He begged, therefore, that the House would not proceed without any valuable practical object to accomplish by it, to impose this heavy burden on manufacturers of leather.

PUBLIC LANDS.

Note.—Mr. CUSHING moved to amend the bill by striking out the 25th section, which is in the words following, viz:

Sec. 25. *And be it further enacted*, That the proviso to the sixth section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved September fourth, eighteen hundred and forty-one, be, and the same is hereby repealed."

When Mr. C. made this motion, the rule of the House terminating debate on the bill, had attached to it. If otherwise, it was his intention to have given his reasons for this motion; which reasons are the following:

The condition of the Treasury, at the present time, imperatively demands the imposition of additional duties, and a revision of the tariff, so as to meet the existing deficit, to make the annual revenue equal to the annual expenditures, and to provide for the payment of the actual debt of the Government.

As at present arranged, the duties derived from customs are, and for many years have been, wholly inadequate to meet the annual wants of the Government. In fact, the Treasury has, for several years past, labored under embarrassment from this cause.

When Mr. Van Buren came into power, he encountered, at the outset, precisely this financial difficulty, by reason of which it became necessary for him, not only to expend the whole of the receipts of each year, but to use in addition in the current expenses of the Government, the intended fourth instalment of the surplus treasure, ordered in 1836 to be deposited with the States, and to use also the proceeds of the sale of the stock in the United States Bank held by the Government. Besides which, he was compelled to postpone a large amount of appropriations, and still to leave a balance of indebtedness in outstanding Treasury notes at the close of his administration.

When the present Administration came into power it found the Treasury laboring under these same embarrassments.

The Treasury had, in the first place, been depleted of a temporary surplus by the deposit thereof with the States.

After this, it was impossible with all the resources of the Government, whether by the sale of the public lands, or by the revenue received from the duties on imports, to defray the expenses of each

year, and a daily accumulation of debt was the consequence.

For, the peculiar fact in the financial history of the Government during the last ten years has been this, namely, that while the expenditures of the Government had during that time greatly increased, yet simultaneously with this, the revenue derivable from duties on imports, the only form of taxation used at the present time by the Federal Government, has been undergoing a regular periodical reduction by law.

It is to be remembered that the last general revision of the Tariff was by the act of the 14th of July, 1832, which, as modified by Mr. Clay's bill of the second of March, 1833, commonly called the Compromise act, fixed the rate of duties, until some modifications therein were made by the act of September the 11th, 1841.

By the Compromise act, it is provided that in all cases when the duties on foreign imports shall by any act exceed 20 per centum on the value thereof, one-tenth part of such excess shall be deducted from and after December 31st, 1833; another tenth part thereof shall be deducted from and after December 31st, 1835; another tenth part thereof shall be deducted from and after December 31st, 1837: that one half of the residue of such excess shall be deducted from and after December 31st, 1841; and the other half of such residue from and after June 30th, 1842.

By the progress and result of these reductions, then, the revenues of Government, as well from customs as from all other sources, have come to be altogether insufficient for the indispensable necessities of the Treasury.

And the final completion of these periodical reductions (to say nothing of the effect of their progress,) has operated most disastrously on the investments of capital and the pursuits of labor and industry in various branches of business; more especially the abrupt process of cutting off *four-tenths* of the excess of duties above 20 per cent. in the short period of six months, intervening between the first of January, 1842, and the first of July, 1842; for which reduction the provision in the Compromise act for the payment of the duties in cash on the home valuation, is not found to afford sufficient compensation.

Under these circumstances it became the most important business of this Congress, whether as regards the finances of the Government, or the material interests of the People, to re-arrange the Tariff.

And it would be comparatively easy to do this, and to arrange the Tariff upon a footing of reasonable satisfaction and stability, but for the disturbing influences which arise, from a collateral, secondary, and relatively unimportant fact.

This fact is the question of the distribution of the annual proceeds of the public lands among the several States.

On the fourth of September, 1841, an act was passed providing, among other things, for the semi-annual distribution of the net proceeds of the sales of the public lands among the several States. Such distribution to be suspended and cease upon and during the occurrence of two contingencies, viz: First, war; secondly, the imposition of a duty upon any one article of imports to an amount exceeding 20 per cent. ad valorem.

The last condition is contained in a proviso to the sixth section of the act, which proviso is in the words following, viz:

"If at any time, during the existence of this act, there shall be an imposition of duties on imports inconsistent with the provision of the act of March 2d, 1833, entitled 'An act to modify the act of the 14th of July, 1832, and all other acts imposing duties on imports,' and beyond the rate of duty fixed by that act, to wit: twenty per cent. on the value of such imports or any of them, then the distribution provided in this act shall be suspended, and shall so continue until this cause of its suspension shall be removed, and when removed, if not prevented by other provisions of this act, such distribution shall be resumed."

This proviso was an amendment to the Distribution bill introduced in the Senate, the record history of which is in the following extracts from the Journal of the Senate, of August 23, 1841:

The Senate resumed the consideration of the bill (H. R. 4) to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights.

The amendment proposed by Mr. Berrien, the 21st instant, being modified by Mr. Berrien by unanimous consent, as follows:

At the end of the sixth section insert—

Provided, That, if at any time during the existence of this act, there shall be an imposition of duties on imports inconsistent with the provisions of the act of March 2d, 1833, entitled "An act to modify the act of the 14th of July, 1832, and all the acts imposing duties on imports" and beyond the rate of duty fixed by that act, to wit: twenty per centum on the value of such imports, or any of them, then the distribution provided in this act shall be suspended, and shall so continue until this cause of its suspension shall be removed, and when removed, if not prevented by other provisions of this act, such distribution shall be renewed.

On the question to agree thereto, those who voted in the affirmative, are

Messrs. Allen, Archer, Barrow, Bayard, Berrien, Calhoun, Clay, of Alabama, CLAY, of Kentucky, Clayton, Fulton, Graham, Henderson, Kerr, King, Mangum, Merrick, Morehead, Porter, Preston, Sevier, Simmons, Smith, of Indiana, Tallmadge, Walker.

Those who voted in the negative, are

Messrs. Bates, Benton, Buchanan, Choate, Dixon, Evans, Huntington, Linn, Miller, Prentiss, Southard, Sturgeon, Tappan, White, Williams, Woodbridge, Wright, Young.

This amendment was concurred in by the House on the 30th of August, 1841, on the question that the House do agree to the amendment, the vote being yeas 107, nays 95; and thus the proviso became part of the bill as it passed the two Houses and was approved by the President.

Those who voted in the affirmative are—

Messrs. Allen, L. W. Andrews, S. J. Andrews, Arnold, Arrington, Ayerigg, Babcock, Barnard, Barton, H. Black, Blair, Boardman, Bronson, M. Brown, W. Butler, W. O. Butler, Calhoun, W. B. Campbell, T. J. Campbell, Caruthers, Chapman, T. C. Chittenden, J. C. Clark, S. N. Clark, Coles, Cowen, Daniel, G. Davis, W. C. Dawson, Deberry, Doan, Everett, Fessenden, Fillmore, A. L. Foster, Gamble, Gates, Gentry, Goggin, P. G. Goode, W. O. Goode, Graham, Green, Greig, Halsted, Harris, Hays, Howard, Hubbard, Hunter, Hunt, J. D. Jones, J. P. Kennedy, King, Lewis, Linn, T. F. Marshall, S. Mason, Mathiot, Mattocks, Maxwell, Maynard, Moore, Morgan, Morris, Morrow, Osborne, Owsly, Payne, Pendleton, Pickens, Powell, Randall, Rayner, Rencher, Ridgway, Rogers,

Russell, Saunders, Sargent, Sheppard, Shields, Slade, T. Smith, Stanly, Stokely, A. H. Stuart, J. T. Stuart, Summers, Talaferro, J. B. Thompson, R. W. Thompson, Tomlinson, Trumbull, Wallace, Warren, Washington, Watterson, E. D. White, J. L. White, T. W. Williams, R. Williams, C. H. Williams, Yorke, A. Young, J. Young.

Those who voted in the negative are—

Messrs. *Adams, Atherton, Baker, Banks, Beeson, Bidlack, Birdseye, Borden, Bowne, Boyd, Briggs, Brockway, A. V. Brown, C. Brown, Burke, Burnell, P. C. Caldwell, Clifford, Clinton, J. Cooper, Cranston, Cravens, Cross, Cushing, R. D. Davis, J. B. Dawson, Dean, Doig, Eastman, J. Edwards, J. C. Edwards, Egbert, Ferris, J. G. Floyd, C. A. Floyd, Fornace, Gerry, Gordon, Gustine, Hubersham, Hall, W. S. Hastings, J. Hastings, Henry, Hopkins, Houk, Houston, Hudson, C. J. Ingersoll, J. Irvin, W. W. Irvin, Jack, James, C. Johnson, Keim, A. Kennedy, Lane, Lawrence, Littlefield, A. McClellan, R. McClellan, McKay, Mallory, Marchand, A. Marshall, Mathews, Miller, Newhard, Parmenter, Plumer, Pope, Ramsey, Randolph, Reynolds, Riggs, Saltonstall, Sanford, Shaw, Simonton, Snyder, Steenrod, Stratton, Sumpter, Sweney, Tillinghast, Toland, Triplett, Turney, Underwood, Van Buren, Ward, Westbrook, Winthrop, Wise, Wood.*

By analysis of these votes, it will be seen that this proviso was carried in both Houses, by the votes of a majority of those friendly to the principle of Distribution, and thus the friends of Distribution themselves fixed, and laid down the limitation, that no distribution should take place during any period whenever there should be occasion for duties on any articles of imports exceeding the amount of 20 per cent. ad valorem.

Now, a provision is inserted in the present Tariff bill, being the 25th section, to repeal this proviso and limitation, that is to say, the repeal of it is stuck, as a rider, on the back of the Tariff bill. It is proposed, by those who fixed and settled this fundamental condition of Distribution, to repeal and unfix that fundamental condition.

This is fickle and unstable legislation. It is fickle and unstable legislation in the same Congress which prescribed and established the terms and conditions of the Distribution, to undertake to repeal those terms and conditions. That duties exceeding 20 per cent. would be needed was just as well known then as now.

It is not a fair mode of legislation. A Tariff act providing revenue for the Government, and in the arrangement and discrimination of the duties, affording protection to the industry of the People, is a primary, necessary, indispensable thing. The repeal of the established terms and conditions of the Distribution act is not a necessary object, but one only of secondary expediency, to say the most which can be said in its favor. To associate these two things together, and to make the first depend upon the second, is not an equitable or fair mode of legislation.

It is affirmed, in many of the newspapers, either ignorantly, or for the purpose of deception, that you must preserve the Distribution act, that the object of this 25th section is to preserve that act, and that those who go against this 25th section of the Tariff act, in so doing go against the Distribution act. That is false. This 25th section of the Tariff act proposes to repeal a fundamental part of the Distribution act. In striking out this section, you leave the Distribution act to stand entire, in the terms, and with the con-

ditions, which the present Congress has itself prescribed.

In addition to this, we know, since the President returned the temporary Tariff bill with his objections, that, in retaining the 25th section, all we do is to fish for another Veto.

In fact, the effect of this 25th section is to enlarge and extend the operation of the Distribution act, beyond the conditions and limitations, which the present Congress has itself so recently prescribed as being, in the opinion of the Whig majority, the wise and proper conditions and limitations.

Is the financial condition of the Federal Government, at the present time, such as to warrant this?

When the Treasury is exhausted—when all the resources of the Government are insufficient for its necessary expenses—when there is already a large debt—when every day is adding to that debt—when it is a matter of the most painful difficulty to raise ways and means to carry on the Government, is it a wise operation, financially speaking, to throw away any additional part of those resources, and to go on and borrow more money for the purpose of distributing the money so borrowed among the States? Surely not.

There are gentlemen who profess a readiness and a determination to sacrifice the Tariff itself, rather than not accomplish the object of now repealing their own limitations of the Distribution act; that is to say, to bankrupt the Government, to disband the Army, to dismantle the Navy, to stop the action of all the Departments, and to keep the trade, industry and business of the whole country on a stretch of distraction, prostration and agony, until the next Congress shall come together, or the next President be chosen, rather than not now carry this proposed repeal of one of the fundamental conditions of the Distribution act.

Are the People willing to submit to all this for the purpose of gratifying the schemes of politicians? Are they content to be thus victimized for such an object? And is the object worth so much, that you are willing to pay all this price for the mere chance of getting it? For remember, it is but a chance.

The newspapers argue the point of this 25th section as if the question was now of the original passage of the Distribution act, whereas the express object of the section is to repeal a fundamental part of that act. Take it, however, either way, and the question recurs, What is the true value of the object?

Much learning and ingenuity have been expended in the endeavor to show that the public lands actually belong, of right, to the several States, in their separate capacity, and not to the Federal Government.—Supposing (which is not true) that this argument were made out in any degree, still it would avail but little, for it only applies to that part of the public domain which consists of gratuitous cessions made by the States. In respect even to that part, it shuts out from consideration all the money which the Federal Government has itself paid out of the Federal Treasury, and derived from Federal taxes, to conduct the military defence of those lands, and to complete the title by buying out the occupation of the Indians. And making the best of the argument, it applies to but a small part of the public lands, inasmuch as by far the largest part of the existing public domain consists of territory

paid for with money by the Federal Government and purchased from France or Spain. To no part of this great division of the public domain does the argument attach.

If, therefore, Distribution be put, as a right of the individual States, and you could make out the right upon the original Virginia and other cessions, prior to the Constitution, then in proportion as you make out any such right to the portion of the public domain comprehended in those cessions, you do, in the same breath, establish the fact that the separate States have no separate interest whatever, in the residue of the public domain; that is to say, in the far larger and more valuable part of it, which the Federal Government acquired by purchase for money since the adoption of the Constitution.

Accordingly Distribution, as covering the whole public domain, must be justified, upon considerations of expediency.

As a question of expediency, there has, it seems to me, been extreme exaggeration in this case on both sides.

It is the misfortune of political controversy in this country, though, in another point of view, it is evidence of the comparative felicity of our lot, that questions like this, of mere pecuniary expediency, which may be decided either way without very seriously affecting the public interests, should grow, when seen through the magnifying glasses of party, into imaginary greatness, and factitious consequence, for a time, and come to be sincerely regarded by many as questions of principle.

Look at the questions of dynasty, of form of government, of political or social revolution, which convulse other countries, and consider, whether it be not quite idle to agitate our country, and to throw away its internal peace and order, on a question relatively so unimportant as that of the disposition of the net annual proceeds of the public lands.

I voted for the Distribution bill, when it passed the House, for the reasons among others, that it was the act of my party associates, that there were considerations of public convenience in favor of laying out and setting aside the proceeds of the public domain from the ordinary reliable revenues of the Government, and that it was desirable to dispose of and settle the controversy on the subject.

I could not, nor would not, have voted for the bill at the last session, if informed by its friends that it was not intended by them as a permanent settlement of the controversy; that it was to be gone over again and placed upon a totally new basis in the same Congress; that the terms and conditions of settlement then agreed upon and established, were to be repealed at the next session; and that this repeal was to be fastened upon, and made the condition precedent of, the enactment of a wise and proper Tariff.

We are now invoked to re-open and re-adjust that controversy; to repeal the conditions and limitations so recently agreed upon and established; and, for the sake of that repeal, to sacrifice the Tariff itself, and all the vital interests of the Government and the people, which the Tariff involves.

This peculiar state of facts compels me to inquire, myself, and to ask the people to inquire, what is the precise value of the Distribution act, and especially, what is its value as compared with the Tariff?

In so far as the administration of the public lands by the Federal Government, is the means of waste, or of pecuniary or political corruption, the Distribu-

tion Act accomplishes nothing, for it leaves the administration of the public domain to be continued permanently in the hands of the Federal Government.

In so far as the benefit of distribution might be to take the question of the public lands out of the field of politics, or to secure absolutely a share of them to the old States, the Distribution act accomplishes nothing. For in the first place, the act is at all times subject to the question of repeal; and, in the second place, the act, if unrepealed, is self-nullified by the following clause contained in it, viz:

"Provided, That nothing herein contained shall be construed to the prejudice of future applications for a reduction of the price of the public lands, or to the prejudice of applications for the transfer of the public lands on reasonable terms to the States within which they lie, or to make such future disposition of the public lands, or any part thereof, as Congress may deem expedient."

The question of Distribution remains therefore a mere question of dollars and cents.

Congress has agreed, for the present, that there shall be distribution in time of peace, so long as the state of the Treasury does not require the imposition of duties exceeding 20 per cent. ad valorem; but that whenever it becomes necessary to subject the people to such an amount of taxation, then the proceeds of the public lands, instead of being distributed among the States, shall remain in the Treasury to lighten the burden of taxation, imposed on the people by the Federal Government.

On the other hand, it is said, that, by ceasing to recur to the public lands for revenue, and by relying wholly on duties, the question of the Federal revenue is relieved from the disturbing cause of the fluctuation and uncertainty of the element of the revenue derived from public lands, and that moreover the necessity thus created for a higher rate of duties on imports is beneficial to certain interests, by giving them higher protection.

This assumes contrary to what experience proves, that the revenue from customs will be of itself alone enough to carry on the Government. Whereas, for aught that at present appears, unless recourse be had to the public lands, it may be necessary either to add continually to the public debt, or to provide additional revenue by means of excises, stamp duties, or direct tax on real or personal estate.

Besides which, in the present attitude of the question, if the protected interests can have adequate permanent protection, without meddling with the question of the public lands, is it not better for those interests to make sure of, and be content with, an abundantly good thing, viz. adequate permanent protection, rather than desperately and wantonly to throw away that abundantly good thing in the chase of the idle shadow of a supposed better thing?

For it is to be remembered that the Distribution question has become a mere watchword of parties, and that, unstable as all party ascendancy is, in the United States, it is unwise and not a sound calculation of stability and certainty, for the protected interests to build themselves on the sandy foundation of such an inconsiderable point as this, and on a decision of the question, which decision, at any new election, is subject to be revised and probably reversed by another Congress.

Then, as a consideration of money, what is the amount of money which any person in the United

States is to gain by the proposed repeal of this limitation of the Distribution act?

Under the operation of the Distribution act, a certain sum of money is to be paid over to the several States by the Federal Government. What is the profit and loss on this process to each individual citizen of the United States?

It would be well for every citizen of the United States, before he undertakes to censure any members of the present Congress for not wishing to stop the wheels of Government for the sake of distribution, before he makes up his mind to two or three years of grinding poverty, in order to get his share of the distribution, to set down deliberately, with pen and paper, and reckon up the amount of his share.

Suppose a million of dollars, a million and a half, or even two millions, to be distributed, how many cents, or rather how few cents, will that make to each individual citizen in the United States? Let every man calculate for himself. And, in order to get those few cents a head, do the farmers, miners, manufacturers, sugar planters, and mechanics, intend, or desire, to sacrifice the tariff?

But, suppose they get those few additional cents which the repeal of the limitation will give them. Suppose instead of cents it were dollars, would there be any profit in the operation? Where does the money they are to receive come from? Is it not their own money, paid to the Government in taxes out of their own pockets? For the distribution money is to be taken out of a deficient, not an overflowing Treasury. Every dollar withdrawn from the Treasury for distribution leaves a vacuum which has got to be filled by additional taxes; and it is a very losing operation for you to pay taxes to the Government in order to have the Government pay back the net proceeds to you; because you do not get all your own money back again. It would have been much better to have kept it in your own pocket the whole time; for you receive it back subject to the deduction of the loss and expenses incurred in the process of its being collected from you, kept awhile, and then returned to you by the Federal Government.

But it is said the distribution is for the benefit of the States, some of which are very much in debt. But, what then? What is a State? The argument implies that a State is a something totally independent of, and disconnected from the People of the State. The Federal Government is to impose taxes on the people of all the States united; collect the money into the Federal Treasury, and then pay it over to the State Governments. Would it not be more direct, cheaper, and better for the people of the States to pay these taxes at once into their own State Treasury? Or, on the other hand, what reason is there for employing the agency of the Federal Government to collect a part of the money needed to conduct the State Governments, which does not apply to the whole? Why not give up State taxes altogether, and centralize the Government at once, by having an uniform system of taxation, and collection, and disbursement for all objects whatever, within the limits of the Union, relinquishing the present system of taxation, collection and disbursement for any object under the separate authority of the individual States? Certain it is that no citizen of an individual State can save any thing in taxes by this round about process of paying to the Federal Government, and through the Federal Government back to his own State, the taxes necessary to carry on his own State Government.

So that neither to any individual citizen of the United States, nor to the citizen of any one of the indebted States, and still less to any citizen of either of the unindebted States, is it easy to see how any *pecuniary profit* should accrue by the distribution of the proceeds of the sales of the public lands, *whilst the Federal Treasury is in a deficient and impoverished condition.*

Tables are published in the newspapers showing how much money each county and each State, &c., would be entitled to receive under the Distribution act. *With a surplus treasure on hand to distribute, this is very well; but with a deficient and impoverished Treasury, the table of what each State would receive under the act ought to be accompanied with a table of what each State had to contribute in taxes in order to make up the sum distributed; and it would then be seen, that Massachusetts, for instance, must pay two dollars in taxes for every one dollar she receives in distribution.*

Nor, independently of this, can the distribution, as such, of the proceeds of the public lands be of essential service to any of the indebted States. For the amount to be received by each is so inconsiderable, that if the State of Pennsylvania, or the State of Illinois, cannot provide means to pay her public debt without this pittance, she can not with it.

It may be that the State Governments are wholly unable to carry on their own financial affairs—that they have not strength, or courage, or virtue to face their pecuniary difficulties, to raise money to pay their debts, or to tax their people for the pecuniary obligations they have incurred; and that it will become necessary for them to have recourse in this emergency to the tax machinery of the Federal Government. It may be that the indebted States expect and intend to call on the unindebted States to contribute for their relief from their financial embarrassments. If so, then the existing theory of the Constitution, and of the relation of the Federal Government to the States, has failed, and it is necessary to reconstruct the fabric of the Union.

But if this is to be done, if the Federal Government is to assume the debts of the States, it will prove a very serious affair, and it will require much time, reflection and arrangement, to accomplish the plan. And it would seem to be hardly wise to say you will not have any Tariff until this be done. On the contrary, by sacrificing the Tariff, for the sake of Distribution, or its kindred object, that object without which it is no object at all, viz: the assumption of the debts of the States,—in other words, by bankrupting the Federal Government,—you do but aggravate intolerably the present deplorable condition of some of the State Governments.

And assuming the few cents per head, which the repeal of the limitation of the Distribution act would give to the citizens of the United States, to be all pure gain to them, or their respective States, and assuming the act itself to be all which its warmest advocates can claim for it, has that act such a prospect of long life that it is worth while to stake the Tariff upon that life? On the contrary, is not the total repeal of the act itself, by the next Congress, quite a possible event, considering the existing relations of political parties?

Finally, by striking out this 25th section, by separating the Tariff question from the Distribution question, you render the Tariff bill simply a measure of business. You withdraw it from all the bad influences of politi-

cal passion. Distribution is a political question; the Tariff is not. If there is a majority for repealing the contingent suspension of the Distribution act, be it so; but let there be separate legislation on the subject. Let not this repeal be fastened to the Tariff. What the industrial interests of the country most of all need, is tranquillity, certainty, stability; to be delivered from the factious agitations of intolerant party spirit and aspiring personal ambitions. This the tariff interest can attain, by cutting adrift from the question of Distribution. That done, the

present becomes a most auspicious moment, for adjusting the Tariff on a durable basis. For the necessities of the Government require high duties. If this adjustment be made a political question, it cannot stand; but, if it be stripped of all collateral matters, if it be separated from this political question of the public lands, and be arranged purely as a business question, it may be so adjusted as to defy political change and secure the support or acquiescence of a great majority of the people of the United States.

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